

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
DOCKET NO. 3:08-cv-00195-FDW-DCK**

**LAURI-ANN GIBSON-BARKLEY,  
Individually and as Next Friend of  
CHANDLER BARKLEY, a minor,**

**and**

**DWAYNE BARKLEY, Individually and as  
Next Friend of CHANDLER BARKLEY, a  
minor,**

**Plaintiffs,**

**vs.**

**CONAGRA FOODS, INC.,**

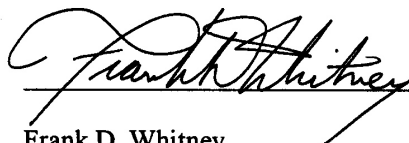
**Defendant.**

**ORDER**

THIS MATTER is before the Court following the submission of a joint status report by the parties. (Doc. No. 17). On August 23, 2008, this Court issued a text-only order staying all proceedings in this case pending resolution of whether and what type of class should be certified in Troy True, et al. v. ConAgra Foods, Inc., No. 07-770-CV-W-DW (W.D. Mo.) Pursuant to this Court's order issued on October 13, 2010, the parties submitted a joint status report on October 20, 2010. Based on this report, the Court has learned that the motion for class certification has not yet been decided, but has been pending for over two years. In the interests of justice, the Court is therefore lifting the stay in this case, and the parties are DIRECTED to resubmit by Monday, November 8, 2010, their "Certification of Initial Attorneys' Conference and Discovery Plan" pursuant to this Court's standing orders.

IT IS SO ORDERED.

Signed: October 22, 2010

  
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Frank D. Whitney  
United States District Judge

